

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN THE MATTER OF:

DANIEL RODRIGUEZ ROSA

CASE NO. 15-04885 ESL  
CHAPTER 13

MOTION TO AMEND THE CHAPTER 13 PLAN AFTER CONFIRMATION  
AND STATEMENT OF PURPOSE

TO THE HONORABLE COURT:

COMES NOW DEBTOR, through the undersigned attorney and very respectfully states and prays:

- 1- That the Chapter 13 Plan in the present case was confirmed by the Court.
- 2- That debtor requests the amendment of his Chapter 13 Plan: (SEE ATTACHED AMENDED PLAN DATED 10/25/2015). 11 U.S.C 1329
- 3- *Debtor request the amendment of his Chapter 13 plan to include a provision for Retirement System of PR.*
- 4- *Debtor is current with his Chapter 13 plan payments.*

"Parties in interest are notified they have twenty-one (21) days to object a proposed modification of a plan and request a hearing. Absent good cause, untimely rejections shall be denied.

WHEREFORE, debtors respectfully request from this Honorable Court to grant this Motion and confirm the amended Chapter Plan dated October 25<sup>th</sup>, 2015

2<sup>th</sup> day of October 2015, In San Juan Puerto Rico

**CERTIFICATE OF SERVICE:** That I electronically filed the foregoing with the Clerk of the Court using CM/ECF system which will send notification of such filing and that I have mailed the documents to the all non CM/ECF participants, creditors and parties in interest as per the Master address list.

/S/WILBERT LOPEZ MORENO, ESQ 202707

**Representing Danile Rodríguez Rosa**

1272 Jesús T. Piñero Ave

San Juan Puerto Rico, 00921

787-782-5364 / fax-787-793-5790

e-mail:wilbert\_lopez@yahoo.com . "...'

United States Bankruptcy Court  
District of Puerto Rico

IN RE:

RODRIGUEZ ROSA, DANIEL

Debtor(s)

Case No. 15-04885

Chapter 13

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____ <input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION		<input checked="" type="checkbox"/> AMENDED PLAN DATED: 10/25/2015 Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other																																																									
<b>I. PAYMENT PLAN SCHEDULE</b>  <table style="width:100%;"> <tr> <td style="width:10%;">\$</td> <td style="width:40%;">1,100.00 x</td> <td style="width:10%;">60 = \$</td> <td style="width:40%;">66,000.00</td> </tr> <tr> <td>\$</td> <td>x</td> <td>= \$</td> <td></td> </tr> <tr> <td>\$</td> <td>x</td> <td>= \$</td> <td></td> </tr> <tr> <td>\$</td> <td>x</td> <td>= \$</td> <td></td> </tr> <tr> <td>\$</td> <td>x</td> <td>= \$</td> <td></td> </tr> </table> <p style="text-align: right;">TOTAL: \$ 66,000.00</p> <p>Additional Payments:                  \$ _____ to be paid as a LUMP SUM                  within _____ with proceeds to come from: _____</p> <p><input type="checkbox"/> Sale of Property identified as follows:                  _____</p> <p><input type="checkbox"/> Other:                  _____</p> <p>Periodic Payments to be made other than, and in addition to the above:                  \$ _____ x _____ = \$ _____</p> <p style="text-align: right;">PROPOSED BASE: \$ 66,000.00</p>		\$	1,100.00 x	60 = \$	66,000.00	\$	x	= \$		\$	x	= \$		\$	x	= \$		\$	x	= \$		<b>II. DISBURSEMENT SCHEDULE</b>  A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ _____ B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input type="checkbox"/> Trustee pays secured ARREARS: <table style="width:100%;"> <tr> <td>Cr. _____</td> <td>Cr. _____</td> <td>Cr. _____</td> </tr> <tr> <td># _____</td> <td># _____</td> <td># _____</td> </tr> <tr> <td>\$ _____</td> <td>\$ _____</td> <td>\$ _____</td> </tr> </table> 2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: <table style="width:100%;"> <tr> <td>Cr. FIRST BANK</td> <td>Cr. _____</td> <td>Cr. _____</td> </tr> <tr> <td># 1210</td> <td># _____</td> <td># _____</td> </tr> <tr> <td>\$ 43,212.60</td> <td>\$ _____</td> <td>\$ _____</td> </tr> </table> 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: <table style="width:100%;"> <tr> <td>Cr. _____</td> <td>Cr. _____</td> <td>Cr. _____</td> </tr> <tr> <td># _____</td> <td># _____</td> <td># _____</td> </tr> <tr> <td>\$ _____</td> <td>\$ _____</td> <td>\$ _____</td> </tr> </table> 4. <input checked="" type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: ASOCIACION EMPL 5. <input type="checkbox"/> Other: _____ 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: RETIREMENT SYSTE C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ <table style="width:100%;"> <tr> <td>Cr. _____</td> <td>Cr. _____</td> <td>Cr. _____</td> </tr> <tr> <td># _____</td> <td># _____</td> <td># _____</td> </tr> <tr> <td>\$ _____</td> <td>\$ _____</td> <td>\$ _____</td> </tr> </table> 2. Unsecured Claims otherwise receive PRO-RATA disbursements.  OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.) TRUSTEE WILL PAY ATTORNEY'S FEES(\$350.00) CONCURRENCE WITH FIRST BANK (\$315.00) AND ASUME (\$315.00) UNTIL PAYMENT IN FULL OF ATTORNEY'S FEES AND ASUME. TRUSTEE WILL PAY \$415.00 TO FIRST BANK( PO BOX 9146, SAN JUAN, PR 00908 #1210 ) AS ADEQUATE PROTECTION UNTIL CONFIRMATION OF PLAN. PLUS INSURANCE THROUGH THE PLAN MAT DATE- FEB/2019 ASUME-DIRECTLY BY PAYROLL DEDUCTION & CHILD SUPPORT DIRECTLY "Tax refunds will be devoted each year, as periodic payments, to the plan's funding until plan completion. The tender of such payments shall deem the plan modified by such amount, increasing the base thereby without the need of further notice, hearing or Court order. If need be for the use by debtor(s) of a portion of such refund, debtor(s) shall seek court's authorization prior to any use of funds		Cr. _____	Cr. _____	Cr. _____	# _____	# _____	# _____	\$ _____	\$ _____	\$ _____	Cr. FIRST BANK	Cr. _____	Cr. _____	# 1210	# _____	# _____	\$ 43,212.60	\$ _____	\$ _____	Cr. _____	Cr. _____	Cr. _____	# _____	# _____	# _____	\$ _____	\$ _____	\$ _____	Cr. _____	Cr. _____	Cr. _____	# _____	# _____	# _____	\$ _____	\$ _____	\$ _____
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<b>III. ATTORNEY'S FEES</b> (Treated as § 507 Priorities)  Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ 2,800.00		Signed: /s/ DANIEL RODRIGUEZ ROSA Debtor   Joint Debtor																																																									

Attorney for Debtor Wilbert Lopez Moreno, P.S.C.

Phone: \_\_\_\_\_

CHAPTER 13 PAYMENT PLAN

Label Matrix for local noticing

0104-3

Case 15-04885-ESL13

District of Puerto Rico

Old San Juan

Sun Oct 25 07:56:43 AST 2015

ASOCIACION EMPLEADOS ELA

P O BOX 364508

SAN JUAN, PR 00936-4508

FIRSTBANK PR

PO BOX 9146

SAN JUAN, PR 00908-0146

ASUME

PO BOX 71414

SAN JUAN, PR 00936-8514

US Bankruptcy Court District of P.R.

Jose V Toledo Fed Bldg &amp; US Courthouse

300 Recinto Sur Street, Room 109

San Juan, PR 00901-1964

AT&amp;T

PO BOX 8226

AURORA, IL 60572-8226

AT&amp;T Mobility Puerto Rico, Inc

% AT&amp;T Services, Inc

Karen Cavagnaro, Paralegal

One AT&amp;T Way, Room 3A104

Bedminster, NJ 07921-2693

BANCO POPULAR DE PUERTO RICO

BANKRUPTCY DEPARTMENT

PO BOX 366818

SAN JUAN PR 00936-6818

DENISE M LOPEZ

URB MIRADOR DE CUPEY N 1 CALLE 9

SAN JUAN, PR 00926

DEPARTAMENTO DE TRANS Y OBRAS PUBLICAS

PO BOX 41269

SAN JUAN, PR 00940-1269

FIRST BANK

CONSUMER SERVICE CENTER

BANKRUPTCY DIVISION - CODE 248

PO BOX 9146, SAN JUAN PR 00908-0146

RETIREMENT SYSTEM OF PR ELECTRIC AUTHORITY

HOME LOAN ADMINISTRATION

PO BOX 13978 SAN JUAN PR 00908 5040

ALEJANDRO OLIVERAS RIVERA

ALEJANDRO OLIVERAS CHAPTER 13 TRUS

PO BOX 9024062

SAN JUAN, PR 00902-4062

DANIEL RODRIGUEZ ROSA

URB JARDINES DE CAGUAS

C 4 ALTOS CALLE D

CAGUAS, PR 00725

MONSITA LECAROS ARRIAS

OFFICE OF THE US TRUSTEE (UST)

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500 TANCA STREET SUITE 301

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WILBERT LOPEZ MORENO

WILBERT LOPEZ MORENO &amp; ASOCIADOS

1272 AVE. JESUS T. PINERO

SAN JUAN, PR 00921-1616

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)ASUME-DENISE LOPEZ VIZCARRONDO PO BOX 713

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Total 16